

NOTICE AND REQUEST THAT THE COURT DIRECT DEFENDANT TO MAKE PROPER SERVICE OF ALL COURT FILINGS TO THE PLAINTIFF

TO THE HONORABLE UNITED STATES MAGISTRATE JUDGE:

COMES NOW the Plaintiff, David E. Mack who Notices this Honorable Court and requests the Court direct the Defendant to properly serve a copy of all court filings to the Plaintiff via US Mail. The Plaintiff was not served a copy of the Answer filed by the Defendant as required under FRCP 5 and only became aware of the filing as a result of his diligent and ongoing monitoring of Pacer. Plaintiff is proceeding *Pro Se* in this matter and is to be served a copy of all filings with the clerk in paper form via US Mail as he is not authorized to use the CM/ECF system and therefore does not receive notice upon the filing of a document with the clerk. (*See* Exhibit 1)

Plaintiff has never waived his right to receive service by mail under Rule 5 and does not intend to do so in the future. Plaintiff requests this Honorable Court direct the Defendant to make proper service to the Plaintiff of all documents and papers filed with the Court in the future as required by FRCP 5(b)(2)(E).

Respectfully Submitted,

David E. Mack

7720 McCallum Blvd. #2099

Dallas, Texas 75252

972-735-9642

mack2001@swbell.net

CERTIFICATE OF SERVICE

This is to certify a true and correct copy of the foregoing document was sent to the below named party by first class USPS mail.

Dated: April 14, 2014

David E. Mack

Steven R. Dunn Dunn Firm, P.C. 8390 LBJ Freeway, Suite 540 Dallas, Texas 75243